



# Police Services Act

CHAPTER 349

OF THE

REVISED STATUTES, 1989

amended 1992, c. 28, s. 28

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## An Act to Provide for Police Services

### Short title

**1** This Act may be cited as the *Police Services Act*. R.S., c. 349, s. 1.

**2** *repealed 1992, c. 28, s. 28.*

### Provincial civil constable

**3 (1)** The Solicitor General may appoint a person as a provincial civil constable.

**(2)** *repealed 1992, c. 28, s. 28.*

### Disqualification

**(3)** No person shall be appointed as a provincial civil constable who

(a) is under the age of nineteen years or over the age of sixty-five years;

(b) is not a British subject or Canadian citizen.

**(4)** *repealed 1992, c. 28, s. 28.*

### Term of office and re-appointment

**EXHIBIT**

**1**

(5) A provincial civil constable shall hold office for a period of two years and may be re-appointed by the Solicitor General. R.S., c. 349, s. 3; 1992, c. 28, s. 28.

### **Power to execute process**

4 A provincial civil constable may execute anywhere in the Province process of a civil nature including any notice, order, warrant, summons other than a notice, order, warrant, summons or other process required to be executed or served by a sheriff or a functionary appointed under another enactment or by another officer, person or body. R.S., c. 349, s. 4.

### **Oath and bond**

5 (1) The appointment of a provincial civil constable shall not be effective until he has filed with the Solicitor General

(a) a statement prescribed by the Solicitor General, sworn before a person authorized to take oaths, to the effect that he will act only in matters of a civil nature; and

(b) a security bond for the due and faithful performance of his duties in such amount and in such form as the Governor in Council may determine under Part III of the *Public Offices and Officers Act*.

### **Complaint**

(2) Any person who has a complaint against a provincial civil constable may notify the Solicitor General by signing a complaint in writing and the Solicitor General shall require the provincial civil constable to appear before the Solicitor General and answer the complaint.

### **Suspension or revocation**

(3) If the provincial civil constable fails to appear before the Solicitor General or if, after inquiry, the Solicitor General is satisfied that the complaint is justified and of a serious nature, the Solicitor General may suspend or revoke the appointment.

### **Re-appointment after revocation**

(4) Where the appointment of a provincial civil constable has been revoked pursuant to subsection (3), he shall not be appointed again unless the Governor in Council approves the appointment. R.S., c. 349, s. 5; 1992, c. 28, s. 28.

### **Municipal civil constable**

6 (1) A council of a city, town or municipality may appoint a person who is over the age of nineteen years and a British subject or Canadian citizen as a municipal civil constable for the city, town or municipality.

### **Bond**

(2) Before appointing a person as a municipal civil constable, a council shall require him to furnish a security bond for the due and faithful performance of his duties in such amount and in such form as the Governor in Council may determine under Part III of the *Public Offices and Officers Act*.

### **Filing of documents of appointment**

(3) No appointment made pursuant to subsection (1) shall be effective unless the clerk or some other officer of the city, town or municipality files with the Solicitor General a copy of the security bond and a record of the appointment containing the date of the appointment and the full name and address of the person appointed.

**Power to execute process**

(4) A municipal civil constable may execute within the municipality for which he is appointed process of a civil nature including any notice, order, warrant, summons other than a notice, order, warrant, summons or other process required to be executed or served by a sheriff or a functionary appointed under another enactment or by another officer, person or body.

**Complaint**

(5) Any person who has a complaint against a municipal civil constable may notify the Solicitor General by signing a complaint in writing and the Solicitor General shall require the municipal civil constable to appear before the Solicitor General and answer the complaint.

**Suspension or revocation**

(6) If the municipal civil constable fails to appear before the Solicitor General or if, after inquiry, the Solicitor General is satisfied that the complaint is justified and of a serious nature, the Solicitor General may suspend or revoke the appointment without reference to the municipal council.

**Re-appointment after revocation**

(7) Where the appointment of a municipal civil constable has been revoked pursuant to subsection (6), he shall not be appointed again unless the Governor in Council approves the appointment. R.S., c. 349, s. 6; 1992, c. 28, s. 28.



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